

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
16 DECEMBER 2020
7:30 P.M.
REGULAR MEETING
AGENDA

The Board of Trustees of the Village of Brewster is holding a virtual meeting at 7:30 PM, on December 16, 2020 through Zoom Meeting. The Meeting ID is 207 812 8623 and the phone number needed to call in is 1-929-205-6099.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Mary Bryde, George Gaspar, Tom Boissonnault
Village Police Chief: John Del Gardo
Village Engineer:
Village Counsel: Gregory Folchetti
Clerk & Treasurer: Michelle Chiudina
Deputy Clerk-Treasurer:
Pledge to flag.

Absent:

Todd Atkinson

Donna Milazzo

Mayor Schoenig motions to open the regular meeting, Trustee Bryde 2nd, all in favor 5 to 0.

Regular Meeting

1. Monthly Reports

- 1.1. Police Report, November, 2020. Chief John Del Gardo delivers the November, 2020 Police Report. Trustee Bryde notes that there were less tickets overall from October to November, and also notes that there were more parking tickets this month than last month. Trustee Bryde asks where the eight vehicle accidents were and Chief Del Gardo confirms that the accidents were in eight different locations. Trustee Bryde inquires about the two larceny incidents and Chief Del Gardo explains that one of them happened at the Brewster Honda where car tires were stolen and the other happened at 35 Main Street. Trustee Bryde asks about the four shots fired complaints as well as where the shots were coming from and what happened with the situations. Chief Del Gardo notes that these shots were coming from hunters from different locations, three were in the Village and one was outside of the Village. Trustee Gaspar asks if the hunters were all permitted and Chief Del Gardo confirms that they were. Trustee Bryde inquires about the 10 noise conditions, noting that the number of complaints is up from last month, and Chief Del Gardo explains that all of these complaints came from one location. Trustee Bryde asks where the missing manhole cover was located and Chief Del Gardo notes that the hole was on Route 22 near Brewster Honda. Trustee Bryde notes that there were about the same amount of speeding tickets and red lights tickets between this month and last month. Trustee Bryde asks if the tickets for the eight unlicensed operators were stopped for another reason and Chief Del Gardo confirms this. Mayor Schoenig motions to accept the November, 2020 Police Report, Trustee Bryde 2nd, all in favor 5 to 0. Trustee Gaspar asks about the new vehicle and Chief Del Gardo states that he is very happy with the car and that it runs great. Trustee Gaspar asks about the lights that were installed in the vehicle and Chief Del Gardo explains that the vehicle needed some items that were not transferrable between the old car and the new car.
- 1.2. Code Enforcement Report, November, 2020. Mr. Bill Scorca delivers the November, 2020 Code Enforcement Report. Mr. Scorca reports on the various projects that are ongoing in the Village, including Brewster Library at 79 Main Street, Amoco Gas Station at 174 Main Street, 76 Gas Station at 494 North Main Street, 22 Eastview Avenue, 538 North Main, 871 Route 22, and 861-869 Route 22. Trustee Gaspar states that himself and Trustee Bryde will be attending the walk through of the Brewster Library with the Building Department. Trustee Gaspar asks about the work that is being done on the back end on 871 Route 22. Mr. Scorca states the new owner is replacing a footing that was bad as well as a plate at the back of the building. Mr. Scorca continues stating that they will also be doing work on the siding of the building as well as install insulation, along with many other projects that need to be done. Deputy Mayor Piccini clarifies that the Board allowed for a Special Exception Use Permit in the B2 zone and asks for an update on 861-869 Route 22's application. Mr. Scorca states they have not pulled any permits for that application, only the alarm system for the building. Deputy Mayor Piccini explains that the applicant needs to come

before the Board of Trustees with a Special Exception Use Permit application, in order to continue with the process. Counsel Folchetti notes that the permit for the alarm system is separate from the Special Exception Use Permit, so it can be done. The Board and Counsel Folchetti discuss what the Board approved at the previous meeting and the next steps that the applicant would need to do. Mayor Schoenig motions to approve the November, 2020 Code Enforcement Report, Trustee Boissonnault 2nd, all in favor 5 to 0.

2. Chris DeBellis – 22 and 28 Eastview Avenue. Mr. Chris DeBellis discusses his short-term and long-term ideas for the properties he recently purchased on Eastview Avenue. Mr. DeBellis informs the Board that he would like to begin making improvements to the garage located at 2 Eastview Avenue first by creating a second floor for a home office or studio apartment. Mr. DeBellis continues discussing his long-term plan of developing 28 Eastview Avenue. Mr. Scorca informs the Board of the conversations he had with Mr. DeBellis and the Building Inspector Joe Hernandez and discusses the Denial Letter, which allows him to speak about his overall plan with the Board. Mr. Scorca recommended that Mr. DeBellis go before the Board for a Special Exception Use Permit to add an accessory apartment above the garage, in accordance with Village Code, Section 263-20 I.a. Mr. Scorca continues by stating that Mr. DeBellis will also need to be make the garage conforming and get a variance for the side yard, from the Zoning Board of Appeals. Mr. DeBellis notes that he plans to renovate the house as well, but cannot until the current tenant's lease is up in the end of May. Mayor Schoenig states that he is not in favor of this project as everyone with a detached garage will put an apartment above it, which is not ideal. Trustee Boissonnault notes that others have asked and the Board has said no in the past for similar reasons. Mr. DeBellis asks if it would be possible to have a home office above the garage and Deputy Mayor Piccini states that the Village Code says that a home office has to be within the main residence. Trustee Gaspar states that this shouldn't be allowed depending on the age of the building, but this building would be an exception as it has been there for a long time. Mr. DeBellis notes that this would give the building more use and make the building more attractive. Trustee Bryde agrees that this would cause a domino effect, Mayor Schoenig notes that this exact project was turned down in a similar area that this project is in. Trustee Boissonnault agrees with Mayor Schoenig and Trustee Bryde. Mr. DeBellis asks if he can make improvements to the garage, including adding an attic space, or will he need to go the Zoning Board of Appeals. Counsel Folchetti states that a decision would come from the Building Department. Mr. DeBellis thanks the Board of Trustees for their time.
3. Zoning Board of Appeals Nomination – Ken Cord. Mayor Schoenig motions to appoint Mr. Ken Cord to the Zoning Board of Appeals, Trustee Gaspar 2nd, all in favor 5 to 0.
4. Public Hearing for Urban Renewal Project. Counsel Folchetti states that there are a number of properties that need to be noticed in the public hearing, and notes that the properties differ from what is listed in the Urban Renewal Project, as far as what phase each property is in. Counsel Folchetti continues stating that each property must be noticed in the public hearing and sent a certified letter informing the owner of the public hearing. Mayor Schoenig motions to hold a public hearing on February 17, 2021 at 7:30 PM, location dependent on the Open Meeting Law Executive Order, to discuss with the property owners that will be affected by the Urban Renewal Project Phase 1 and 5, Deputy Mayor Piccini 2nd, all in favor 5 to 0.
5. Authorize Deputy Clerk Donna Milazzo to Sign Checks. Mayor Schoenig motions to authorize Deputy Clerk Donna Milazzo to sign checks, Trustee Gaspar 2nd, all in favor 5 to 0.
6. Accounts for Review:
 - 6.1. Account 499 – No representative is in attendance for this property. Trustee Gaspar asks for a refresher on what was discussed for this property. Clerk Chiudina explains that at the previous meeting, the property manager Rony Ramirez was going to speak with his plumber about the leak at this property that was located underground, after the meter, which services two apartments.
 - 6.2. Account 133 – The Board discusses the letter from the plumber, Mr. David Gillis, who handled the leak at 177 Main Street, with Counsel Folchetti and Mrs. Laurie Manning, who manages that property. There is a disagreement between the Board and Mrs. Manning regarding the amount to be billed and how much water was actually used based on what Clerk Chiudina calculated and what Mr. Gillis found. The Board notes that this is a difficult situation to come to a solution as there are many factors in place due to the nature of the incident and the current state of the pandemic. The Board decides that the issue will be discussed at the next meeting to come up with a solution, while Mr. Domenic Consentino is in attendance to explain his determination for how many gallons were used, which was used in Clerk Chiudina's calculation. Trustee Gaspar motions to remove the water and sewer penalties from this account as the discussion is ongoing, Trustee Boissonnault 2nd, all in favor 5 to 0.
7. Minutes for approval.

- 7.1. November 18, 2020. Trustee Bryde motions to approve the Minutes from the November 18, 2020 Meeting, Deputy Mayor Piccini 2nd, all in favor 5 to 0.
- 7.2. December 7, 2020. Trustee Bryde motions to approve the Minutes from the Organizational Meeting held on December 7, 2020, Trustee Gaspar 2nd, Deputy Mayor Piccini notes that her internet issues caused her to drop off of the call before the meeting officially ended, all in favor 5 to 0.
8. Correspondence Sent/Received November, 2020. Mayor Schoenig motions to approve the correspondence sent/received for November, 2020, Trustee Bryde 2nd, all in favor 5 to 0.
9. Vouchers Payable – Trustee Bryde reviewed the vouchers at Village Hall and found everything in order.

9.1. A -	GENERAL FUND	\$23,962.67
9.2. C –	REFUSE & GARBAGE	19,384.56
9.3. EN -	ENGINEERING FEES ESCROW	379.38
9.4. F -	WATER FUND	11,674.23
9.5. G -	SEWER FUND	124,029.20
9.6. H65 -	WELLS PARK BIKE PATH CONNECTOR	18,475.00
9.7. TA -	TRUST & AGENCY	7,375.03

Total Vouchers Payable \$205,280.07

Mayor Schoenig motions to accept the Voucher Payable as written, Deputy Mayor Piccini 2nd, all in favor 5 to 0.

10. Other Business

- 10.1. Clerk Chiudina has a list from Mr. Consentino regarding some updates in the Village that he would like the Board to be made aware of. The first item he received is a quote of \$3,350.00 from a well pump company to do performance testing on the wells. He will need to set a date for this testing after the paperwork is signed. Trustee Gaspar asks if this is budgeted and Clerk Chiudina confirms that this is done every year and is budgeted for. Mayor Schoenig informs the Board that Mr. Consentino puts items like this in the budget every year to stagger upkeep or replacement of a well to ensure it does not end up happening at one time. Mayor Schoenig motions to allow performance testing to be done on the well in question, not to exceed the price of \$3,350.00, Deputy Mayor Piccini 2nd, all in favor 5 to 0. The second item that Mr. Consentino has is a quote for \$1,500.00 for a parking meter pole straightener and Mr. Consentino wrote that there is money in the budget to purchase one. The one the Village currently has is over 30 years old and is leaking. Deputy Mayor Piccini motions to approve the quote for a new pole straightener, not to exceed \$1,500.00, Trustee Boissonnault 2nd, Trustee Gaspar asks what a pole straightener actually does and Mayor Schoenig explains that whenever someone hits a meter, the DPW has to straighten the pole back out manually, so a replacement isn't necessary. Trustee Gaspar asks what happens when a meter become unfixable and Mayor Schoenig believes that the situation has not happened as of yet, all in favor 5 to 0. The last item Mr. Consentino would like to inform the Board of, is that he repaired the leak on the hydraulic oil tank of the backhoe, which saved the Village a lot of money. Deputy Mayor Piccini asks if there is some kind of guarantee on the work that was done to repair the backhoe, and Clerk Chiudina is unsure but suggests the Board discuss this with Mr. Consentino.
- 10.2. Trustee Gaspar was a part of a meeting with 530 North Main Street and the Building Department but the meeting was postponed until after the new year due to the weather. Trustee Gaspar states that there will be a walk-through of the Library on Monday at 11:45 AM, and Trustee Bryde will also be attending. Deputy Mayor Piccini asks if Trustee Gaspar will give the Board an update after the 530 North Main meeting, Trustee Gaspar states that there are a few pending issues with the building that will be discussed and how they will be resolved, which will involve a meeting with the Planning Board for an amended site plan. Trustee Gaspar notes the issue with escrow and the need for funds from the property owner.

11. New Business - No new business

12. Public Comment

- 12.1. Mrs. Angelina Pillai, Village Resident, would like to bring to the Board's attention that in the last few months she has called the Village Police, the Department of Transportation and the Village Offices regarding the trucks and loud vehicles near her home, including cars with loud music and mufflers. She continues by stating that these disturbances happen after 11 PM and early in the morning, as well as various times throughout the day and the noise is over 55 decibels. Mrs. Pillai continues describing the issues she stated above. She suggests that the Board change the Village Ordinance regarding noise after a certain time, to earlier than 10 PM and have the ordinance be more strictly enforced. She states that she has filed a police report with the Village Police

Department and suggests that the Village install a camera to monitor the area, as having an officer there is not solving her issue. Mrs. Pillai is also requesting that letters go to the home owners regarding what is considered excessive noise, the allowed level of noise and at what times the noise is allowed. Clerk Chiudina asks Counsel Folchetti if notices can be sent to the landlords regarding this issue based off of findings that were gathered by Mrs. Pillai. Counsel Folchetti states that in accordance with Chapter 159 of the Village Code, that governs unreasonable noise, therefore no letters should be sent to the accused property owners by the Board of Trustees and he is also unaware of any decibel level in the local code. Counsel Folchetti continues that a cease and dissent letter can be sent by the Code Enforcement Officers or the Village Police to the property owners so long as they know beyond reasonable doubt that these properties are violating the law or a Village Code. Clerk Chiudina informs the Board that Chief Del Gardo is aware of the situation and has had officers patrol that area to determine if there is an unreasonable amount of noise and will continue to do so. Counsel Folchetti states that it would be impractical to have an officer write up a ticket for a complaint that they did not witness. Clerk Chiudina notes that this is the only complaint that the Village has received regarding noise in this area. Mrs. Pillai makes a comment regarding the descendance of the tenants in the properties she has complained about, stating that the tenants all know each other and are covering for each other. At this point, Mayor Schoenig asks that Mrs. Pillai does not discuss this subject any further and Clerk Chiudina informs Mrs. Pillai that the Village Police will continue to look into the issue. Counsel Folchetti states that Mrs. Pillai can privately act upon these allegations, as it is her right to do so.

- 12.2. Mrs. Susan Fellows, Village commuter, discusses a letter she received from the Village Offices regarding parking in the Village. She is requesting that she receive a two-quarter credit for the two quarters that she paid for Village parking, but did not use the spot due to COVID-19 complications, causing her to lose her job. The Board discusses with Counsel Folchetti and Mrs. Fellows her situation and how this decision will affect others who paid for their spot during the pandemic but did not use it, verses those who did not pay for their spot but did not lose the lot they were in. Clerk Chiudina explains that those parkers who called Village Hall and informed the office that they were having financial hardships and would not be parking and/or paying for their spot, were told they would not lose their spot until further notice. The Board notes that they understand that everyone has fallen on hard times, especially financially, and the Village is no exception. Deputy Mayor Piccini motions to continue with the current policy in place, which curtails any accommodation to people parking with the Village and that a payment for the quarter starting on December 1, 2020 must be paid for by December 31, 2020 to maintain their parking spot, Trustee Gaspar 2nd. Counsel Folchetti requests clarification on what is being motioned, and Deputy Mayor Piccini states that this would curtail any accommodations that were made and have parkers begin paying again by December 31, 2020, whether they were continuing to pay for the last two quarters or not. Counsel Folchetti notes that this motion would affect a smaller group of people of those who paid for their spot but did not use it due to the pandemic. All in favor 5 to 0. Mrs. Fellows asks for clarification on the motion, and Deputy Mayor Piccini states that if she does not pay by December 31, 2020 and would like to take a hiatus from the Village Parking, she does so at the risk that she loses her parking spot in the closer lot. Mrs. Fellows expresses her disappointment in the Board's decision.

- 12.3. Mr. John Lord notes that there will be a Public Hearing set for February 17, 2021 for the Urban Renewal Project and asks if everything went smoothly with the agreement with DEP. Mayor Schoenig clarifies that the Village has not received the signed documents for the land transfers and Counsel Folchetti adds that having the agreement signed is not vital to holding the Public Hearing and this Public Hearing is to have the developer hear the public. Mr. Lord asks if the developer can go forward with the Revitalization until the DEP signs the agreement and Counsel Folchetti states that it is not necessary as there are other properties involved that are not on DEP. Mr. Lord wishes the Board a happy holiday.

- 12.4. Mr. Scott Seaman would like to wish the Board a happy holiday and a happy new year. He stated that Brewster Schools are currently distance learning until the break and will hopefully be back in the classroom once the break is over. He also informed the Board that there will be a snow day for Brewster Schools tomorrow due to the impending snow storm and there will be no remote learning.

13. Mayor Schoenig motions to go into executive session to discuss personnel matters, Trustee Bryde 2nd, all in favor 5 to 0.

14. Trustee Boissonnault motions to come out of Executive Session and resume the regular meeting, Trustee Gaspar 2nd, all in favor 5 to 0.

15. Trustee Boissonnault motions to adjourn the regular meeting, Trustee Gaspar 2nd, all in favor 5 to 0.

NOVEMBER 2020 MONTHLY REPORT



POLICE CHIEF
John Del Gardo

VILLAGE OF BREWSTER POLICE DEPARTMENT

MONTHLY REPORT

To: Mayor James Schoenig - Board of Trustees
FROM: Police Chief John Del Gardo
NOVEMBER 2020

911 CALLS	65	VEHICLE REPAIRS	\$ 380.00
WALK IN COMPLAINTS	4	VEHICLE MILEAGE	4204
TOTAL CALLS FOR SERVICE	69	VEHICLE FUEL	591
FOOT PATROL			
Main Street:	41		
MTA	10		
Residential:	33		
TOTAL HOURS	84		
Court Hours - Village	60	(Security Detail) 2 Officers	
Court Hours - S.E.	80	(Security Detail) 3 Officers	
TICKETS			
Uniform Traffic Tickets:	122		
Parking Tickets:	37		
Local Ordinance	0		
TOTAL TICKETS	159		
ARRESTS			
QUINONES 512 ARREST	1		
CASTRO UPM ARREST	1		
TOTAL ARRESTS	2		

911 DISPATCHED CALLS – 65 CALLS
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AIDED – 13

EDP – 3

DOA – 1

VEHICLE ACCIDENT – 8

DISPUTE – 3

LARCENY – 2

HARASSMENT – 1

DISORDERLY PERSON – 1

SUSPICIOUS VEHICLE – 1

SUSPICIOUS PERSON – 1

REPORT SHOTS FIRED – 4

NOISE CONDITION – 10

INTOX PERSON – 3

FIRE ALARM – 3

911 HANGUP – 2

WELFARE CHECK – 1

SICK ANIMAL – 1

PARKING CONDITION – 1

HOMELESS CONDITION – 2

POWER OUTAGE – 1

MISSING MANHOLE COVER - 1

FOUND PROPERTY – 1

VEHICLE LOCK OUT – 1

VILLAGE OF BREWSTER POLICE

SELECTIVE TRAFFIC ENFORCEMENT

NOVEMBER 2020

STOP SIGN – 1

SPEED – 60

CELL PHONE – 28

RED LIGHT – 3

UNLICENSED OPERATOR – 8

SEATBELT - 11

HANDICAP PARKING – 1

LEAVING THE SCENE (PROP DAMAGE) – 1

FOLLOWING TOO CLOSE – 1

ONE WAY STREET – 1

TOTAL – 115

November, 2020 Code Enforcement Report



VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509
(845) 279-3760

NOVEMBER, 2020 SUMMARY REPORT

		Year to Date
A.1560 SAFETY INSPECTION =	\$7,790.00	16,235.00
A.2555 BUILDING FEES =	5,045.00	20,554.00
A.2590 PROPERTY REG =	25.00	75.00
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TOTAL FOR NOVEMBER =	\$12,860.00	36,864.00

PERMITS: 16

VIOLATIONS: 5

INSPECTIONS*: 3

CERTIFICATES: 2

PROPERTY REGISTRATIONS: 1

*Inspections total does not include inspections that the Village does not charge for as inspections, such as site visits, plumbing inspections, final inspections, gas tests, driveway inspections, boiler inspections, dryer vent inspections, roof inspections, etc. The inspections listed above are reflected in building fees and are a part of the permit amount.